

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

**LANDMARK AMERICAN
INSURANCE COMPANY,**

Plaintiff,

V.

Case No.: 1:20-cv-02631-STA-jay

**HECO REALTY, LLC and LIBERTY
MUTUAL FIRE INSURANCE
COMPANY,**

Defendants.

ORDER OF DISMISSAL
ORDER DENYING MOTION TO COMPEL AS MOOT
ORDER DIRECTING CLERK TO ENTER JUDGMENT

On August 11, 2021, the Court entered an order granting Plaintiff Landmark American Insurance Company's Motion for Summary Judgment and Denying Defendant Liberty Mutual Fire Insurance Company's Cross-Motion for Partial Summary Judgment (ECF No. 93). The Court had previously entered an order on June 8, 2021, staying the discovery deadlines in this case, pending a ruling on the cross-motions for summary judgment. As part of its June 2021 order, the Court granted the parties' request to submit a proposed revised schedule for any remaining discovery, once the Court had issued its summary judgment ruling. Also, Plaintiff had a pending motion to compel (ECF No. 61) awaiting decision.

So following the entry of its summary judgment order, on August 17, 2021, the Court directed the parties to confer and file a brief status report with the Court, indicating whether any issues remain in the case following the Court's summary judgment rulings and whether additional discovery should be taken on those issues. The parties filed a Joint Status Report (ECF No. 94)

on August 26, 2021. According to the report, the parties agree that the Court's summary judgment ruling in Plaintiff's favor rendered the remaining issues, including Defendant's crossclaims and Plaintiff's motion to compel, moot. The parties therefore request that the Court enter judgment.

In light of the parties' status report and in accordance with the Court's previous summary judgment ruling on August 17, 2021, the remaining claims in this matter are **DISMISSED**. Plaintiff's motion to compel (ECF No. 61) is **DENIED** as moot. The Clerk of Court is directed to enter judgment.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
CHIEF UNITED STATES DISTRICT JUDGE

Date: August 27, 2021